

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOA



TT-AB-

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #40

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LeMans Corporation,	)
	)
Opposer,	) Opposition No.: 91166852
	)
v.	) Application No.: 76/558,081
	) Trademark: RAT RADIAL ALL
Excel Tire & Wheel Corp.,	) TERRAIN
	)
Applicant.	)
-----)	)

**STIPULATED MOTION TO CONTINUE SUSPENSION OF PROCEEDINGS**

Applicant, Excel Tire & Wheel Corp., ("Applicant"), a California Corporation, located at P.O. Box 1044, Walnut, California 91788, and Opposer, LeMans Corporation, ("Opposer"), a Wisconsin corporation, located at 3501 Kennedy Road, Janesville, Wisconsin 53547-5222, through their attorneys, hereby stipulate and respectfully request that the Board suspend all proceedings and pending deadlines in this opposition for an additional six (6) months, pursuant to Section 3:27 of the Trademark Trial and Appeal Board Manual of Procedure.

There is good cause for the Board to grant this request. Applicant has the stipulation of Opposer's counsel, Mr. Edward E. Clair, Esq., to this joint motion as the result of a standing agreement regarding the suspension of certain opposition proceedings (including the present proceeding) between the parties. Moreover, the parties are continuing in good faith with



06-12-2006

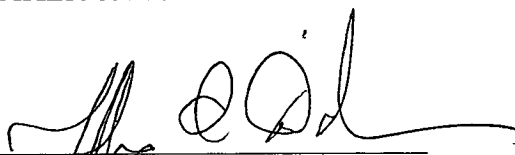
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settlement discussions that, if successful, will obviate the need for the Opposition Action.

Respectfully submitted,

BAKER & McKENZIE

Dated: June 9, 2006

  
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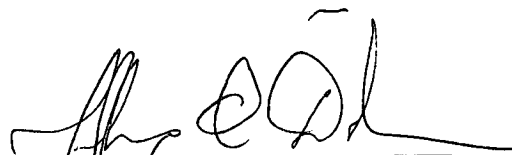
**CERTIFICATE OF MAILING AND PROOF OF SERVICE**

I hereby certify that the foregoing **Motion To Continue Suspension of Proceedings** has been deposited as first class mail with the United States Postal Service, postage prepaid, in an envelope addressed to:

Commissioner for Trademarks  
Attn: TTAB  
P.O. Box 1451  
Alexandria, VA 22313-1451

Edward E. Clair  
Fitch, Even, Tabin & Flannery  
120 South LaSalle Street  
Suite 1600  
Chicago, Illinois 60603-3406

on the 9<sup>th</sup> day of June, 2006.

  
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Jeffrey O. Davidson

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